

Pryor & Mandelup, L.L.P.
675 Old Country Road
Westbury, New York 11590

HEARING DATE: JUNE 29, 2010
HEARING TIME: 10:00 A.M.
OBJECTION DATE: JUNE 22, 2010

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

JEFFREY ROBERT LaROCHELLE,

Chapter 7

Case No. 8-10-71550-dte

Debtor.
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NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the motion of Robert L. Pryor, Chapter 7 trustee (the “Trustee”) of the bankruptcy estate of Jeffrey Robert LaRochelle (the “Debtor”) a hearing will be held on June 29, 2010 at 10:00 a.m. (the “Hearing Date”), or as soon thereafter as counsel can be heard, before the Honorable Dorothy Eisenberg, United States Bankruptcy Judge, at the United States Bankruptcy Court, 290 Federal Plaza, Room760, Central Islip, New York 11722-9013, for an order dismissing the Debtor’s Chapter 7 petition, under Section 707(a) of the Bankruptcy Reform Act of 1978, as amended (“Bankruptcy Code).

PLEASE TAKE FURTHER NOTICE, that a copy of the application is available for inspection at the Office of the Clerk of the United States Bankruptcy Court during normal business hours at the Long Island Federal Courthouse, 290 Federal Plaza, Central Islip, New York 11722, or may be obtained by contacting the undersigned.

PLEASE TAKE FURTHER NOTICE, objections to the Trustee's application shall be filed as follows: (a) (i) through the Bankruptcy Courts electronic filing system (in accordance with General Order M0182), which may be accessed through the Internet at the Bankruptcy Court's website: www.nyeb.uscourts.gov, using Netscape Navigator software version 3.0 or higher, and (ii) in portable document format (PDF) using Adobe Exchange software for conversion; or (b) if a party is unable to file electronically, such party shall submit the objection in PDF format on a diskette in an envelope with the case name, case number, type and title of document, document number of the document to which the objection refers, and the file name on the outside of the envelope; or (c) if a party is unable to file electronically or use PDF format, such party shall submit the objection on a diskette in either Word, WordPerfect, or DOS text (ASCII) format. An objection filed by a party with no legal representation shall comply with section (b) or (c) as set forth in this paragraph. A hard copy of the objection, whether filed under to section (a), (b) or (c), as set forth in this paragraph, shall be hand-delivered directly to the Chambers of the Honorable Dorothy Eisenberg and a hard copy shall be served upon Michael A. Farina, Esq., Pryor & Mandelup, L.L.P., 675 Old Country Road, Westbury, New York 11590, and filed with the Clerk of the Bankruptcy Court, with a copy to chambers on or before June 22, 2010 ("Objection Date").

Dated: Westbury, New York
June 8, 2010

PRYOR & MANDELUP, L.L.P.
Attorneys for the Trustee

By: s/**Michael A. Farina**
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re:

Chapter 7

JEFFREY ROBERT LaROCHELLE,

Case No. 8-10-71550-dte

Debtor.

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**APPLICATION IN SUPPORT OF ORDER DISMISSING
THE DEBTOR'S CHAPTER 7 PETITION**

**TO: THE HONORABLE DOROTHY EISENBERG
UNITED STATES BANKRUPTCY JUDGE:**

Robert L. Pryor, Chapter 7 trustee (the "Trustee") of the above-captioned case, by his attorneys Pryor & Mandelup, L.L.P., in support of his application (the "Application") for an order dismissing the debtor's Chapter 7 petition, under Section 707(a) of the Bankruptcy Reform Act of 1978, as amended ("Bankruptcy Code") respectfully represents as follows:

1. On April 21, 2009 (the "Filing Date"), the *pro se* debtor Jeffrey Robert LaRochelle (the "Debtor") filed a voluntary petition for relief from his creditors under Chapter 7 of the Bankruptcy Code.

2. On April 14, 2010, the meeting of creditors was held, in accordance with Section 341(a) of the Bankruptcy Code, at which time Robert L. Pryor qualified as permanent Trustee.

3. Prior to the meeting of creditors, the Trustee reviewed the Debtor's bankruptcy schedules and Means Test. At the meeting, the Trustee questioned the Debtor with respect to Schedules I and J, which indicate that the Debtor has a monthly surplus of

approximately \$1,121.85. The Trustee recommended that the Debtor seek legal counsel to assist him in determining if he was eligible for Chapter 7.

4. The Trustee also advised the Debtor that he must immediately provide the Trustee with copies of his 2008 and 2009 tax returns, a current valuation of the Debtor's real property and proof of the payoff balance on the mortgage.

5. However, as of the date of this Application, the Debtor has failed to provide the Trustee with the requested documentation.

6. A Chapter 7 petition may be dismissed under Section 707(a) for cause. The Trustee seeks an order of this Court dismissing the above-captioned case due to the Debtor's failure to provide the Trustee with all information necessary for him to conduct an examination of the Debtor's financial affairs and to determine if, in fact, the Debtor is eligible for Chapter 7.

7. There has been no prior application for the relief requested herein.

8. This motion presents no novel or complex legal issues and the Trustee requests that the Court waive the requirements of E.D.N.Y. LBR 9013-(B) to submit a separate memorandum of law.

WHEREFORE, Applicant respectfully requests that the Court enter an order dismissing the Debtor's Chapter 7 petition and for such other relief as is just and proper.

Dated: Westbury, New York
June 8, 2010

PRYOR & MANDELUP, L.L.P.
Attorneys for the Trustee

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